

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

PAUL E. PODHORN,

Petitioner,

v.

J. GRONDOLSKY,

Respondent.

Civil Action No. 09-2531 (JBS)

ORDER

This petition under 28 U.S.C. § 2241 came before the Court for preliminary screening, and, for reasons stated in the Memorandum Opinion of today's date;

IT IS on this 12th day of June, 2009,

ORDERED that Petitioner's application to proceed in this matter in forma pauperis is granted;¹ and it is further

ORDERED that Petitioner's allegations that he was not granted clemency are dismissed for failure to assert that Petitioner is being held in confinement in violation of the United States Constitution or federal laws; and it is further

ORDERED that Petitioner's Bivens allegations are dismissed for lack of jurisdiction; and it is further

¹ Although Petitioner's in forma pauperis is severely deficient, this Court believes that the grant of in forma pauperis status is warranted in this matter, since it appears that Petitioner needs to be advised about the exhaustion requirement of his habeas claim which, according to the Petition, might be ripe as soon as the next month.

ORDERED that Petitioner's habeas allegations are dismissed as speculative at the instant juncture and for failure to exhaust administrative remedies; and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Petitioner by regular U.S. mail and close the file on this matter.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge